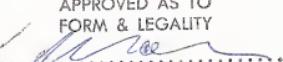


1 BILL NO. Z-79-08- 19

2 ZONING MAP ORDINANCE NO. Z-24-793 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. M-3.5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
6 INDIANA:7 SECTION 1. That the area described as follows is hereby designated
8 a R-1 District under the terms of Chapter 33, Municipal Code of the
9 City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort
10 Wayne Zoning Map No. M-3, referred to therein, established by Section 33-11,
11 of said Chapter are hereby changed accordingly, to wit:12 Williams Woodland Park Block 1, Lots 1 - 22, as Amended
13 Williams Woodland Park Block 2, Lots 1 - 22, as Amended
14 Williams Woodland Park Block 3, Lots 12 - 22, as Amended
15 Williams Addition, Lots 214 - 23016 SECTION 2. That this Ordinance shall be in full force and effect
17 from and after its passage, approval by the Mayor and legal publication
18 thereof.19 
20 Councilman21 APPROVED AS TO
22 FORM & LEGALITY23 
24 William N. Salin, City Attorney

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Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock M., E.S.T.

DATE: 8/14/78

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by _____, seconded by Hinga, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 10-9-78

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE
(RESOLUTION) No. 3-24-78 on the 9th day of October, 1978.
ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moore Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th
day of October, 1978, at the hour of 11:30 o'clock 4 M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 17 day of October, 1978,
at the hour of 10 o'clock 4 M., E.S.T.

Robert E. Armstrong
MAYOR

Bill No. Z-79-08-19

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. M-3

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance do PASS.

JOHN NUCKOLS - CHAIRMAN

SAMUEL J. TALARICO - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

WILLIAM T. HINGA

John Nuckols
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier
William T. Hinga

10-9-79

CONCURRED IN

DATE CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 14, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-08-19; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 17, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

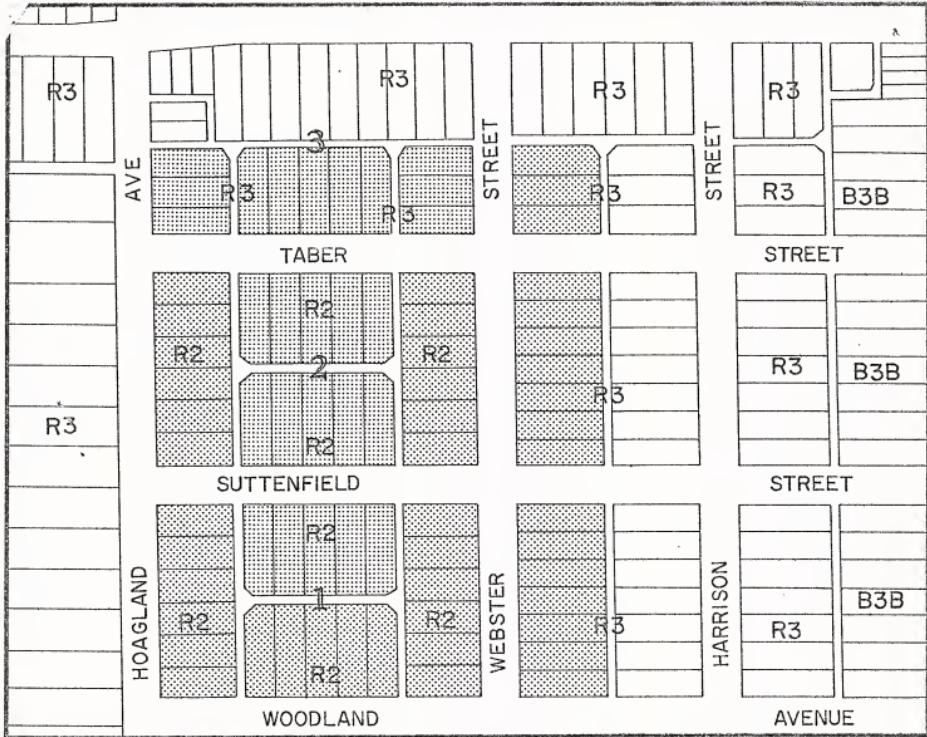
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 24, 1979.

Certified and signed this
25th day of September 1979.

Thomas G. Adams

Thomas G. Adams
Secretary



MAP NR. - M-3

Z-79-08-19

OFFICE OF THE GOVERNOR
INDIANAPOLIS, INDIANA 46204

OTIS R. BOWEN, M. D.
GOVERNOR

November 2, 1979

Mr. Charles W. Westerman
Clerk of the City of Ft. Wayne
Office of the City Clerk
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Dear Mr. Westerman:

This is to acknowledge receipt of your letter in which you enclosed a copy of resolution R-63-79 requesting the Public Service Commission to hold hearings on winter disconnections of utility service.

You may not be aware that, over the past several years, the Commission has held extensive hearings on disconnection of service and a number of related issues. As a result of these hearings, rules outlining the rights and obligations of consumers and utilities with respect to these issues have been adopted with regard to electric, gas, water and telephone utilities. I understand the Citizens Action Coalition, its predecessor organizations, as well as other consumer groups, participated extensively in these proceedings.

Following the Commission's adoption of these rules and regulations concerning disconnection of utility service and other related matters, Congress enacted the National Energy Act. Title I of that Act, known as the Public Utility Regulatory Policies Act of 1978 (PURPA) requires state commissions to consider certain rate and service standards, including those relating to termination of utility service and information to consumers. This past summer, the Commission held public hearings in an effort to determine if its existing rules for standards of service for electric and gas utilities were in compliance with PURPA. The Citizens Action Coalition participated in these hearings. As you may know, on October 29, the Commission found its existing rules to conform with the PURPA requirements. The Commission did, however, warn that if further evidence shows the utilities are not doing a sufficient job in this area, more stringent rules will be considered.

Charles W. Westerman

Page 2

November 2, 1979

The proceedings which resulted in the Commission's existing rules were public proceedings at which public comment was encouraged and usually received from consumers as well as consumer groups. While I share the Council's concern for ratepayers, particularly those who are especially vulnerable to physical harm from the termination of utility services, the Public Service Commission appears to have adequately provided remedies for these ratepayers in their existing rules. I will, therefore, support the Commission's determination as to the necessity for additional hearings.

Kindest personal regards,



Otis R. Bowen, M.D.
Governor

ORB:dt

STATE OF INDIANA

PUBLIC SERVICE COMMISSION
901 STATE OFFICE BUILDING



INDIANAPOLIS 46204

October 25, 1979

Mr. Charles W. Westerman
Clerk of the City of Fort Wayne
Office of the City Clerk
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Dear Mr. Westerman:

Thank you for your letter of October 23, 1979 and enclosed copy of Resolution No. R-63-79 of the Common Council of the City of Fort Wayne. I would appreciate it if you would distribute this copy of my reply to your letter and the Resolution to the members of the Common Council.

We conducted extensive hearings throughout 1974 and 1975 on the issues of deposits, disconnection of service, billing practices, information to consumers, resolution of disputes and appeals therefrom, etc., with regard to electric utilities. Following several hearings held over approximately a year and a half, rules spelling out the rights and obligations of consumers and electric utilities with respect to these issues were adopted and became effective in mid 1976. Additional hearings were thereafter held resulting in the adoption of similar rules applicable to gas utilities in October of 1976. After still more hearings, we have now completed the revision of our rules concerning these issues as they relate to water and telephone service. The Citizens Action Coalition, and/or its predecessor organizations, participated extensively in these proceedings along with other consumer groups.

The adoption by the Commission of the revised standards of service for electric and gas public utilities as they now exist with regard to disconnection of service and related matters - such as the provisions for customers to obtain extensions of time within which to pay their bills in cases of financial or physical hardship - was generally acclaimed by most consumer groups as providing both utilities and consumers with sound, workable rules. The utilities, however, generally seemed to feel that the new rules were excessively burdensome. Subsequently legislation was introduced in the Indiana General Assembly and generally supported by citizens groups proposing that rules substantially in the same form and substance as those adopted by this Commission be made statutory state law. The legislature did not enact that legislation, but did specifically authorize and require the Commission to adopt such rules so that any question that might have existed as to the legal authority of the Commission to adopt those rules that it had already adopted was eliminated.

Following the adoption of revised rules by this Commission concerning disconnection of utility service and other related matters, the National Energy Act was passed by Congress. Title I of the National Energy Act, known as the Public Utility Regulatory Policies Act of 1978 (PURPA), requires state commissions to consider certain rate and service standards. One of those service standards relates to termination of utility service and another service standard relates to information to customers. Proceedings were thereafter initiated by this Commission to determine, through additional public hearings, whether our existing rules for standards of service for electric and gas utilities were in compliance with the PURPA requirement that we consider these issues. The Citizens Action Coalition participated in the hearings held thereon on July 5, 1979. The Commission has not yet issued an order with respect to the evidence heard and briefs filed in those proceedings, but expects to do so soon. If it finds that additional hearings must be held in order to comply with PURPA, such hearings will be scheduled promptly.

Even if it finds that its existing rules are in full compliance with PURPA, such a finding would not preclude the Commission from exercising its discretion to initiate additional legislative proceedings to amend any rules previously adopted by this Commission, including those pertaining to disconnection of utility service. However, prior to initiating such discretionary legislative proceedings, the Commission should have reason to perceive a genuine need for revision of the existing rules. Our existing rules have been in effect for about three years now in the case of electric and gas utilities. They appear to be working well, and we know of no elderly, handicapped or financially disadvantaged person who has suffered any undue hardship as a result of disconnection of utility service who timely followed the procedures outlined in the existing rules.

We know that some utilities have not been as good as others with regard to encouraging utilization of the rules by customers, although all the utilities required to do so have, to the best of our knowledge, followed the letter of our rules with regard to advising customers of their rights through the distribution of pamphlets and reference to those pamphlets on disconnect notices. Our existing rules were promulgated over the objection of utilities who have since indicated that the rules as they now exist have caused their write-offs of uncollectible accounts to soar, thereby causing the cost to serve all their customers to rise unnecessarily.

Contrary to the beliefs of some, it is not true that we have never turned down a utility company request for a hearing with regard to similar issues and proceedings. Rule making is a legislative function of this Commission and I cannot recall any utility requesting that the Commission initiate legislative rule making proceedings on any issue since I have been a member of the Commission the past five and one half years. The more frequent situation which often occurs is that we initiate such hearings over the objection of utilities or with their less than enthusiastic support. All such proceedings are public proceedings at which public comment is encouraged and usually received from consumers and consumer groups.

Thank you for writing to me and letting us know of your concerns. We share the same concerns you do about ratepayers who, because of their special circumstances, are especially vulnerable to physical harm from termination of utility services and we have acted to provide remedies for these ratepayers.

Respectfully yours,


Larry J. Wallace
Chairman

gk

Date Filed _____

Intended Use _____

X/We Williams - Woodland Neighborhood Association
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from X/ an R-2 & R-3 District to X/ an R-1 District the property described as follows:

Williams Woodland Park Block 1, Lots 1 - 22, as Amended

Williams Woodland Park Block 2, Lots 1 - 22, as Amended

Williams Woodland Park Block 3, Lots 12 - 22, as Amended

Williams Addition, Lots 214 - 230

(Legal Description) If additional space is needed, use reverse side.

West Boundary - East side of Hoagland; North Boundary - East-West alley

between Taber & Creighton; East Boundary - East side of Webster; South

Boundary - North side of Woodland

(General Description for Planning Staff Use Only)

X/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

See attached petitions

(Name) _____ (Address & Zip Code) _____ (Signature) _____
(If additional space is needed, use reverse side)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.

Lebamoff & Associates 1416 Anthony Wayne Bank Bldg.

By Kenneth R. Scheibenberger Fort Wayne, Indiana 46802 (219) 423 2581
(Name) (Address & Zip code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

Owners of Property

(Name)

(Address & Zip Code)

(Signature)

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

West Boundary - the east side of Hoagland; North

Date Filed _____

Boundary - the E/W alley between Taber & Creighton;

East Boundary - Webster (both sides); South Boundary - Intended Use _____

- north side of Woodland.

I/We, the undersigned, certify that I am We are the owner (s) of fifty-one
percentum (51%) or more of the property described in this petition.

PRINT NAME

ADDRESS

SIGNATURE

Joseph D Bender	340 W. Sutterfield	Joseph D. Bender
KAY RAINS	341 W. Sutterfield	Kay Rains
LeeRoy RAINS	341 W. Sutterfield	LeeRoy Rains
Robert M Kimes	321 W. Sutterfield	Robert M Kimes
Maryjorie E Kimes	321 W. Sutterfield	Maryjorie Kimes
✓ Robert M Kimes	330 W. Sutterfield	Robert M Kimes
VICTORIA I STATTER	330 W. Sutterfield	Victoria I Statter
Irene Trumble	327 W. Sutterfield	Irene Trumble
✓ JOSEPH E. TRIMBLE	327 W. SUTTERFIELD	Joseph E. Trumble
Lori Ross	332 W. Sutterfield	Lori K. Ross
✓ Lealette Baker	341 W. Sutterfield	Lealette Baker
HELEN BAKER	341 W. Sutterfield	Helen Baker
RICHARD K. Ross	332 W. SUTTERFIELD	R. K. Ross
Rhonda Housen	343 W. Sutterfield	Rhonda Housen
NEAL I BETTS	2501 Webster	Neal I. Betts
Dorothy M. BETTS	2501 Webster	Dorothy M. Betts
MAX R MUELLER	2435 Hoagland	Max Mueller
Marsha K Mueller	2435 Hoagland	Marsha K. Mueller
Helen Sullivan	316 W. Sutterfield	Helen Sullivan
PETER CHIMERENKO	315 W. SUTTERFIELD	Peter Chimerenko
Michael A. Honey	2514 S. Webster	Michael A. Honey

(Name)

(Address)

(Signature)

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

West Boundary - the east side of Hoagland; North Boundary - the E/W alley between Taber & Creighton; East Boundary - Webster (both sides); South Boundary - Intended Use - north side of Woodland.

I/We, the undersigned, certify that I am We are the owner (s) of fifty-one percentum (51%) or more of the property described in this petition.

PRINT NAME	ADDRESS	SIGNATURE
Thurian Haney	2514 S. Webster	Thurian Haney
Becky Chemereff	315 W. Settlement	Becky Chemereff
James M. Fick	2415 Hoagland Ave.	James M. Fick
KENT D. WOODFILL	342 W. TABER	Kent D. Woodfill
ANN WOODFILL	342 W. TABER	Ann Woodfill
DIANNE HAGEN	338 W. TABER	Dianne Hagen
BRUCE HAGEN	338 W. TABER	Bruce Hagen
JOSEPH F. DOUST	341 W. TABER	Joseph F. Doust
MARY E. DOUST	341 W. TABER	Mary E. Doust
MARK C. EYLFENBERG	2417 S. WEBSTER	Mark C. Eylfenberg
BARB EYLFENBERG	2417 S. WEBSTER	Barb Eylfenberg
WILLIAM G. HOWARD	2425 Webster	William G. Howard
CLARENCE L. DILLEY	2415 Webster	Clarence L. Dilley
ANNA F. DILLEY	2415 Webster	Anna F. Dilley
JAMES J. RUSSELL	2417 Webster	James J. Russell
KATHERINE F. RUSSELL	2417 Webster	Katherine F. Russell
Maurine M. Rutherford	2329 Hoagland	Maurine M. Rutherford
Mari Mills	324 W. Taber	Mari Mills
Sally Mills	324 W. Taber	Sally Mills
James N. Franklin	2523 S. Webster	James Franklin
Constance Franklin	2523 S. Webster	Constance Franklin

(Name)

(Address)

(Signature)

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

West Boundary - the east side of Hoagland; North
 Boundary - the E/W alley between Taber & Creighton;
 East Boundary - Webster (both sides); South Boundary -
 - north side of Woodland.

Date Filed _____

Intended Use _____

I/We, the undersigned, certify that I am We are the owner (s) of fifty-one
 percent (51%) or more of the property described in this petition.

<u>Russell Schlenker</u>	<u>322 W Woodland</u>	<u>Russell Schlenker</u>
<u>Marcilla Schlenker</u>	<u>322 W Woodland</u>	<u>Marcilla Schlenker</u>
<u>John E. Carteaux Sr.</u>	<u>332 W. Woodland</u>	<u>John C. Carteaux Jr.</u>
<u>Anna Carteaux</u>	<u>332 W. Woodland</u>	<u>Anna Carteaux</u>
<u>MARCELLA L. TEW</u>	<u>2501 S. Webster</u>	<u>Marcella L. Tew</u>
<u>BERNARD E. TEW</u>	<u>2501 S. Webster</u>	<u>Bernard E. Tew</u>
<u>John F. Arnold</u>	<u>2504 Webster</u>	<u>John F. Arnold</u>
<u>MARJORIE M. ARNOLD</u>	<u>2504 Webster</u>	<u>Marjorie M. Arnold</u>
<u>Mrs. Wm. Mitchell</u>	<u>2509 Webster</u>	<u>Mrs. Wm. Mitchell</u>
<u>RONALD F. MILLER</u>	<u>335 W. TABER</u>	<u>Ronald F. Miller</u>
<u>KATHY L. MILLER</u>	<u>335 W. TABER</u>	<u>Kathy L. Miller</u>
<u>Garrett DeBolt</u>	<u>327 W. Taber</u>	<u>Garrett DeBolt</u>
<u>RAYMOND DeBOLT</u>	<u>327 W. TABER</u>	<u>Raymond DeBolt</u>
<u>Victoria Woenker</u>	<u>316 W. TABER</u>	<u>Victoria Woenker</u>
<u>F. Robert Woenker</u>	<u>316 W. TABER</u>	<u>F. Robert Woenker</u>
<u>Richard E. Hart</u>	<u>2518 Webster</u>	<u>Richard E. Hart</u>
<u>Marilyn W. Hart</u>	<u>2518 Webster</u>	<u>Marilyn W. Hart</u>
<u>F.E. Standiford</u>	<u>2522 Webster</u>	<u>F.E. Standiford</u>
<u>ROHARAD JAHN</u>	<u>314 W. West Woodland</u>	<u>Roharad Jahn</u>
	<u>343 W. Taber</u>	

(Name)

(Address)

(Signature)

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

West Boundary - the east side of Hoagland; North Boundary - the E/W ally between Yaber & Creighton; East Boundary - Webster (both sides); South Boundary - Intended Use _____
 - north side of Woodland.

I/We, the undersigned, certify that I am We are the owner (s) of fifty-one percentum (51%) or more of the property described in this petition.

PRINT NAME	ADDRESS	SIGNATURE
KENNETH R SCHIEFFERGER	343 W. TOWER	R. Schieffenger
JAY SKUMARAN	2525 Webster	Jay C. Skumanan
Dentka Kumaran	—	Dentka Kumaran
Joseph F. Hammen	2521 Hoagland Ave	Joseph F. Hammen
Alma C Hammen	2521 Hoagland Ave	Alma C Hammen
Leslie L. Cross	2527 Hoagland	Leslie L. Cross
KATHRYN A Cross	2527 Hoagland	Kathy Cross
Gather R. Johnson	2435 Webster St	Gather R. Johnson
Ysidro Moreno	2402 (WEBSTER ST.	Ysidro Moreno
Ysidro Moreno	2402 Webster St	Ysidro Moreno
Killeen R. Lee	3441 W. Woodland	Killeen R. Lee
JAMES E. LEE	344 W. Woodland	James E. Lee
Edward J. Yoh	2535 Hoagland	Edward J. Yoh
Kay Spears	334 W. Woodland	Kay Spears
GEORGE A. MACDONALD	304 W. Woodland	George A. Macdonald
NELL MACDONALD	304 W. Woodland	Nell Macdonald
EDWARD MARTI	2421 Hoagland	Edward Marti
BETTY MARTI	2421 Hoagland	Betty Marti
ROBERT TARNER	2509 Hoagland	Robert Tarnier
JAMES C. KEVER	2430 S. Webster	James C. Kever
VERBA V. WYSS	2420 S. Webster	Verba V. Wyss

(Name)

(Address)

(signature)

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

Date Filed

Intended Use

I/We, the undersigned, certify that I am We are the owner (s) of fifty-one percentum (51%) or more of the property described in this petition.

HeLEN Heaton	322 W Taber	HeLEN Heaton
Betty Waller	328 W. Taber	Betty Waller
Sandra McClain	332 W. Taber	Sandra McClain
CATHY REIFERT	2401 Hoagland	CATHY REIFERT
MICHAEL F. REIFERT	2401 Hoagland	M. F. REIFERT
ELLEN WARREN STORMONT	2310 S. Webster	ELLEN STORMONT
RAUCE DITTENHOFER	342 W Webster	RAUCE DITTENHOFER
SCHAREE SCHWALM	2416 SWEBSTER	SCHAREE SCHWALM
Erma GOYER	2535 S. Webster	Erma GOYER
Karen Martin	2312 S. Webster	Karen Martin
Blanche Greenleaf	2431 Webster	Blanche Greenleaf
Jim Carboni	315 W. Taber	Jim Carboni
Mary Carboni	315 W. Taber	Mary Carboni
John D. Wilson	312 W. Taber	John D. Wilson
Susie G. Scheibenbogen	343 W. Taber	Susie G. Scheibenbogen

(Name)

(Address)

(Signature)